

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

SECOND AMENDMENT ARMS,)
(a d/b/a of R. Joseph Franzese),)
R. JOSEPH FRANZESE, individually)
and d/b/a SECOND AMENDMENT ARMS,)
ROBERT M. ZIEMAN, SR., ICARRY,)
an unincorporated Association)
a d/b/a of Shaun Kranish), and)
SHAUN A. KRANISH,)
)
Plaintiffs,)
)
v.) Civil Case No: 1:10-cv-4257
)
CITY OF CHICAGO, a municipal) Hon. Robert M. Dow, Jr.
corporation, RICHARD M. DALEY,) U.S. District Court Judge
individually and as the Mayor)
of the City of Chicago, JODY) Hon. Sheila M. Finnegan
P. WEIS, Superintendent of) U.S. Magistrate Judge
Police of the City of Chicago,)
MIGUEL DEL VALLE, City Clerk)
of the City of Chicago, and)
MARA GEORGES, individually and)
as Corporation Counsel of the)
City of Chicago,)
)
Defendants.)

PLAINTIFFS' MOTION TO ENLARGE TIME
AND FOR LEAVE TO FILE MEMORANDUM IN
OPPOSITION DEFENDANTS' MOTION TO DISMISS

Now comes Plaintiffs, SECOND AMENDMENT ARMS (a d/b/a of R. Joseph Franzese), R. JOSEPH FRANZESE, individually and d/b/a SECOND AMENDMENT ARMS, ROBERT M. ZIEMAN, SR., ICARRY, an unincorporated Association (a d/b/a of Shaun Kranish), and SHAUN A. KRANISH, by and through his attorney, Walter Maksym, and respectfully request that they be granted an extension of time within which to file their Second Amended Complaint, stating as follows:

1. This Court entered and order on July 27, 2011 granting

August 17, 2011 for Plaintiffs to file their Second Amended Complaint and until September 14, 2011 to file responsive pleading thereto. (Doc. 41)

2. By reason of Plaintiffs' counsel's need to attend to pressing and critical health and the professional demands of other litigation his ability to complete and timely file said Second Amended Complaint, it has become necessary to request an extension of time to file same.

3. Plaintiffs' counsel has conferred with Defendants' counsel, Mardell Nereim, who has indicated that she and her clients have no objection to this request for extension of time, provided the time for Defendants' to file their responsive pleading thereto is extended for the same period.

4. This Motion is timely made in good faith for purposes of necessity only in order to obtain additional time to complete and file Plaintiffs' Second Amended Complaint, and not for purposes of delay.

5. Plaintiffs' counsel verifies this Motion pursuant to the Certification hereto.

WHEREFORE, Plaintiff respectfully prays that this Court enter an order extending the time for them to file their Second Amended Complaint twenty-one days to September 7, 2011, extend the time for Defendants to file their responsive pleading to September 28, 2011 and grant such other further relief as this Court may deem fair, just and proper in the premises.

Respectfully submitted,

R. JOSEPH FRANZESE d/b/a/ SECOND
AMENDMENT ARMS, ROBERT M. ZIEMAN,
SR., ICARRY and SHAUN A. KRANISH,
Plaintiffs,

By /s/ Walter Maksym
WALTER MAKSYM, their attorney

VERIFICATION BY CERTIFICATION

The undersigned attorney certifies that he has read the foregoing instrument, that to the best of his knowledge, information, and belief, formed after reasonable inquiry, it is well grounded in fact and is warranted by existing law or a good-faith argument for the extension, modification, or reversal of existing law, and that it is not interposed for any improper purpose, such as to harass or to cause unnecessary delay or needless increase in the cost of litigation.

/s/ Walter Maksym

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